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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/522,625	01/31/2005	Takashi Imoto	03500.017510.	1853

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FITZPATRICK CELLA HARPER & SCINTO  
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NEW YORK, NY 10112

EXAMINER
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ZHANG, FAN

ART UNIT	PAPER NUMBER
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2625

MAIL DATE	DELIVERY MODE
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02/10/2009

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/522,625	<b>Applicant(s)</b> IMOTO, TAKASHI	
	<b>Examiner</b> FAN ZHANG	<b>Art Unit</b> 2625	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 21 November 2008.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) 9 and 10 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-8, 11-14 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Response to Amendments***

1. Applicant's remarks received on November 21, 2008 regarding amended independent claim 1 have been acknowledged. The arguments are moot in view of new grounds of rejection necessitated by Applicant's amendments. Claims 1-8, 11-14 are currently rejected and claims 9 and 10 are cancelled.

### ***Response to Amendments***

#### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. **Claims 1-6, 11, 12, and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nishiyama (US Pub: 2002/0036790) and in further view of Evans et al (US Patent: 6,807,666).**

**Regarding claim 1 (currently amended),** Nishiyama teaches: A notifying method of notifying a user of information regarding an image processing apparatus which communicates with an information processing apparatus [figs. 12, 13], said method comprising: a print data transmitting step of transmitting print data to the image processing apparatus [p0071]; an obtaining step of obtaining the information regarding

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the image processing apparatus in one of the user sessions for a predetermined one of the plurality of users [p0068, p0069, fig. 12: S42]: a specifying step of specifying an active session for another of the plurality of users different from the predetermined user [figs. 15-17: User Name & Password entry (The active session of user name & password entry specifies one of a plurality of users to obtain information regarding the image processing apparatus.)]; an activating step of activating a display program in the active session specified in said specifying step in order to display the information regarding the image processing apparatus obtained in said obtaining step on the display unit occupied in the specified active session [p0072-p0075]; and an information transmitting step of transmitting the obtained information to the display program activated in the specified active session in said activating step [p0070, p0076].

Nishiyama discloses a situation in which a plurality of users simultaneously logon to a plurality of information processing apparatuses and the users could operate the display units of the corresponding apparatuses sequentially or concurrently. Nishiyama does not consider the situation in which a plurality of users simultaneously logon to a single information processing apparatus and is silent about an environment in which a specific user exclusively operates the display unit of the single information processing apparatus. In the same field of endeavor, Evans et al teach: wherein the information processing apparatus can simultaneously provide, for each of a plurality of users who simultaneously log-on to the information processing apparatus, an environment, as a user session, in which a program desired by the user can be activated, and wherein one of the user sessions serves as an active session for one of the plurality of users who

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exclusively operates a display unit of the information processing apparatus [claim 1].

Having a plurality of users logon to a single computer concurrently and allowing one active display exclusively at a time have been well known in the art as prescribed by Evans et al. Therefore, it would have been an obvious alternative for an ordinary skilled in the art to substitute one single information processing apparatus for a plurality of information processing apparatuses to allow multiple users to obtain the corresponding image processing information for the purposes of space reservation and resource sharing.

**Regarding claim 2 (currently amended)**, the rationale applied to the rejection of claim 1 has been incorporated herein. Nishiyama further teaches: A method according to claim 1, further comprising: a receiving step of receiving existence information showing that the display program has been activated in the specified active session [p0072-p0075, figs. 14-17]; and an activation discriminating step of discriminating whether the display program has been activated in the specified active session on the basis of the received existence information [fig. 13: units S52 and S54], wherein said information transmitting step transmits the information obtained in said obtaining step to the display program activated in the specified active session if said activation discrimination step discriminates that the display program has been activated [fig. 13: units S53, S55-S57].

**Regarding claim 3 (currently amended)**, the rationale applied to the rejection

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of claim 1 has been incorporated herein. Nishiyama further teaches: A method according to claim 1, further comprising a step of, if a plurality of display programs have been activated by the active session specified in said specifying step, finishing one of the plurality of display programs [figs. 4, 9, 12, and 13: END].

**Regarding claim 4 (currently amended)**, the rationale applied to the rejection of claim 1 has been incorporated herein. Nishiyama further teaches: A method according to claim 1, wherein the display program is a program for displaying information regarding a print job issued to the image processing apparatus or information regarding a status of the image processing apparatus [p0067].

**Regarding claim 5 (currently amended)**, the rationale applied to the rejection of claim 4 has been incorporated herein. Nishiyama further teaches: A method according to claim 4, further comprising: a user specifying step of specifying the user corresponding to the active session in which the display program has been activated; and an issuance discriminating step of discriminating whether the print job of the user specified in said user specifying step has been issued to the image processing apparatus, wherein if it is determined that the print job has not been issued in said issuance discriminating step, the display program is not activated [p0074]. In Nishiyama's teaching, print jobs are divided between confidential and common. The confidential print display program will not be activated unless user specification and job issued by the user are confirmed. Although a common print status display program is

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activated, confidential print status display program is not activated as it is discriminated that Tanaka has not issued a print job as exemplified in p0074. However, all the print jobs could be converted to confidential status so that none of the display programs would be activated. Therefore, it would have been an obvious variation of Nishiyama's exemplification for an ordinary skilled in the art to apply confidential print status to all the print jobs so that none of the display programs will be activated when user does not issue a print job for the purpose of simplicity and less confusion.

**Regarding claim 6 (currently amended)**, the rationale applied to the rejection of claim 1 has been incorporated herein. Nishiyama further teaches: A method according to claim 1, further comprising: a necessity discriminating step of discriminating whether the information is information which needs to be displayed on the basis of the information obtained in said obtaining step [fig. 13: units S52 and S54], wherein the display program is activated in the active session specified in said specifying step if said necessity discriminating step discriminates that the information is the information which needs to be displayed [fig. 13: units S53-57]. Also see [p0067-p0070].

**Claim 11 (currently amended)** has been analyzed and rejected with regard to claim 1.

**Claim 12 (currently amended)** has been analyzed and rejected with regard to claim 1 and in accordance with Nishiyama's further teaching on: A computer-readable memory medium which stores a program for controlling an information processing apparatus [p0088].

**Regarding claim 14 (new)**, the rationale applied to the rejection of claim 1 has been incorporated herein. Nishiyama further teach: A method according to claim 1, wherein said specifying step specifies the active session for the other user different from the predetermined user based on information obtained in a step of obtaining active session information in order to discriminate the active session occupying the display unit used by the other user from the user sessions [figs. 15-17: User Name & Password entry (The active session of user name & password entry specifies one of a plurality of users to obtain information regarding the image processing apparatus.)]. And Evans et al also disclose the above in [claim 1].

**4. Claims 7 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nishiyama (US Pub: 2002/0036790) and Evans et al (US Patent: 6,807,666); and in further view of Parry (US Pub: 2003/0077097).**

**Regarding claim 7 (currently amended)**, the rationale applied to the rejection of claim 1 has been incorporated herein. Nishiyama further teaches: A method according to claim 1, further comprising: a condition obtaining step of obtaining condition information in which conditions in which the information regarding the image



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processing apparatus is displayed and conditions in which said information is not displayed have been described [fig. 13, p0067-p0070]. Nishiyama does not execute display based on the status of an apparatus. In the same field of endeavor, Parry teaches: a status discriminating step of discriminating whether the image processing apparatus is in a status (normal or non-error status) where it is necessary to display the information regarding the image processing apparatus on the basis of said condition information and the information obtained in said obtaining step; and a step of finishing the display program if said status discriminating step discriminates that the image processing apparatus is not in said status [p0041, figs 3. Error message is displayed when the apparatus is not in normal status.]. Discriminating the status of an apparatus to activate a display program has been well known and practiced in the art as prescribed by Parry. Therefore, given Nishiyama's teaching on user condition and Parry's disclosing on apparatus status for activating a display program, it would have been obvious for an ordinary skilled in the art to combine the teaching of the all to display printing information when both user condition and apparatus status are met for providing user relevant error messages on the related printing jobs.

**Claim 8 (currently amended)** has been analyzed and rejected with regard to claim 7. (No message is sent to a computer for displaying when it is determined that there is no error associated with the image processing apparatus [fig. 13, p0067-p0070].)

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**5. Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Nishiyama (US Pub: 2002/0036790) and Evans et al (US Patent: 6,807,666); and in further view of Hamada (US Pub: 2002/0103885).**

**Regarding claim 13 (new)**, the rationale applied to the rejection of claim 1 has been incorporated herein. Nishiyama and Evans et al do not explicitly disclose activating a print service program upon obtaining the information regarding the image processing apparatus. In the same field of endeavor, Hamada teaches: A method according to claim 1, wherein the predetermined user is a user for the user session in which a print service program can be activated in the information processing apparatus upon obtaining the information regarding the image processing apparatus [p0117 (A print service program such as re-sending data is activated upon obtaining error information regarding a printer once a predetermined user authenticity is checked.)]. Given Nishiyama's prescription on detecting error information of a printer in p0003 and Hamada's disclosure on activating a data re-sending program, it would have been obvious for an ordinary skilled in the art to modify the combined teaching of Nishiyama and Evans et al to include a print service program upon obtaining information regarding a printer's status after performing user authentication for providing user an efficient printing process service.

### ***Conclusion***

6. Applicant's amendment necessitated the new grounds of rejection presented in this Office Action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

### ***Contact***

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Fan Zhang whose telephone number is (571) 270-3751. The examiner can normally be reached on Mon-Fri from 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark K. Zimmerman can be reached on (571) 272-7653. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

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For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Fan Zhang/

Patent Examiner

/Mark K Zimmerman/

Supervisory Patent Examiner, Art Unit 2625